

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Ralf Hutter )  
)  
Opposer, )  
)  
v. )  
)  
Silver Lake Management, L.L.C. )  
)  
Applicant. )

Opposition No. \_\_\_\_\_  
Application Serial No. 85/466839  
Application Serial No. 85/466816

Attorney's Reference: 46026-339863

**NOTICE OF OPPOSITION**

In the matter of the applications for registration of the trademarks KRAFTWERK and SILVER LAKE KRAFTWERK filed by Silver Lake Management, L.L.C. ("Applicant"), as shown in Application Serial No. 85/466839 and Application Serial No. 85/466816 and published for opposition in the *Official Gazette* of April 24, 2012.

Ralf Hutter ("Opposer"), a German citizen with an address at Klosterstrasse 34, 4021c Dusseldorf, Germany believes that he will be damaged by registration of the mark shown in said Applications Serial Nos. 85/466839 and 85/466186 and hereby opposes the same:

As grounds for opposition it is alleged that: 10/25/2012 SWILSON1 00000011 220261 85466839  
01 FC:6402 300.00 DA

1. Opposer, himself and through related parties, is now, and for many years has been, engaged in the entertainment business, and in the offering of products and services related to that business.
2. Opposer has used the trademark and/or trade name KRAFTWERK in the United States in connection with his products and services.
3. Opposer has used the trademark and/or trade name KRAFTWERK in the United States in connection with his products and services since prior to any date of first use that may be relied upon by the applicant.



\*10-22-2012\*

4. Opposer is the owner of U.S. Trademark Registration No. 2,192,948 issued October 6, 1998 for the mark KRAFTWERK.
5. Opposer is the owner of U.S. Trademark Registration No. 3233744 issued April 24, 2007 for the mark Kraftwerk.
6. The trademarks KRAFTWERK and SILVER LAKE KRAFTWERK sought to be registered by the applicant are either identical to or substantially identical to opposer's trademark KRAFTWERK.
7. Consumers are likely to be confused and to mistakenly believe that applicant's services offered under its KRAFTWERK and SILVER LAKE KRAFTWERK marks either emanate from or are licensed by, sponsored by, or associated with opposer.
8. If the applicant were permitted to use and register its marks for its services as specified in its application, confusion among consumers resulting in damage and injury to opposer would be caused by virtue of the similarity between applicant's trademark and opposer's trademarks. Any defect, objection or fault found with applicant's services would reflect upon and seriously injure the reputation and value that opposer has established under his trademark.


**WHEREFORE**, Opposer prays that Applications Serial Nos. 85/466839 and 85/466816 be rejected, that no registrations be issued thereon to applicant, and that this opposition be sustained in favor of the Opposer.

This Notice of Opposition is submitted in duplicate, together with the statutory filing fee of \$600.00. Should any additional fee be required, please charge the same to our Account No. 22-0261 and notify the undersigned accordingly.

Opposer appoints Mark B. Harrison, Rebecca Liebowitz, Michael Hall, Jeremy Klass and Jacqueline Patt, along with the law firm of Venable LLP, P.O. Box 34385, Washington, D.C. 20043-9998 to transact all business on its behalf in connection with this Opposition.

Respectfully submitted,

Date: October 22, 2012

By:   
Attorneys for Opposer  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served by U.S. Mail, first class, postage prepaid, on this 22<sup>nd</sup> day of October, 2012 on the Applicant's counsel at the address listed in the current U.S. Trademark Office Records as follows:

GENEVIEVE DORMENT  
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**Mark Harrison**